

JUN 28 2005

PTO/SB/31(06-03)

Approved for use through 7/31/2003, OMB 0631-0031

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**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

101195-54

CERTIFICATE OF FACSIMILE TRANSMISSIONI hereby certify that this correspondence is being transmitted
via facsimile to the United States Patent and Trademark
Office on the 28th day of June 2005Agata Glinka
Agata GlinkaIn re Application of
Bernd DorkenApplication Number
09/869,508Filed
June 5, 2002For
Gene Transfer Vector for the Diagnosis and Therapy
of Malign tumorArt Unit
1632Examiner
Dave Trong NguyenApplicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner
dated December 28, 2004 finally rejecting claims 22-30.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 500.00

- ☒ Applicant claims small entity status. See 37 CFR 1.26. Therefore, the fee
amount shown above is reduced by half, and the resulting fee is : \$250.00
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit
Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit
any overpayment, to Deposit Account Number 14-1263.
- ☒ A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR
3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96).
- ☐ attorney or agent of record.
Registration _____
- ☒ attorney or agent under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) 55383

June 28, 2005

Date

(212) 808-0700

Telephone Number

Signature

Paul S. Lim

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple
forms if more than on signature is required, see below.☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.4. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is
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PTO/SB/22(06-03)

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (Fees pursuant to the Consolidation appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) 101195-54																								
Application Number 09/869,508	Filed June 5, 2002																									
For Gene Transfer Vector for the Diagnosis and Therapy of Malign tumor																										
Art Unit 1632	Examiner Dave Trong Nguyen																									
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and appropriate fee are as follows (check time period desired and enter the appropriate fee):																										
<table border="0" style="width: 100%;"> <tr> <th style="width: 40%;"></th> <th style="width: 20%; text-align: center;">Fee</th> <th style="width: 20%; text-align: center;">Small Entity Fee</th> <th style="width: 20%;"></th> </tr> </table>		Fee	Small Entity Fee		<table border="0" style="width: 100%;"> <tr> <td style="width: 40%;"><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td> <td style="width: 20%; text-align: center;">\$120</td> <td style="width: 20%; text-align: center;">\$60</td> <td style="width: 20%; text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: center;">\$450</td> <td style="text-align: center;">\$225</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: center;">\$1020</td> <td style="text-align: center;">\$510</td> <td style="text-align: right;">\$ 510</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: center;">\$1590</td> <td style="text-align: center;">\$795</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: center;">\$2160</td> <td style="text-align: center;">\$1080</td> <td style="text-align: right;">\$ _____</td> </tr> </table>		<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____	<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ 510	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____
	Fee	Small Entity Fee																								
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I am the <input type="checkbox"/> applicant/inventor <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96). <input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>55,383</u> <input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____																										
_____ Signature <u>PAUL S. LIM</u> Typed or printed name	_____ Date <u>June 28, 2005</u> <u>(212) 808-0700</u> Telephone Number																									
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PAGE 3/3 * RCVD AT 6/28/2005 11:48:12 AM [Eastern Daylight Time] * SVR:USPTO-EFXXF-1/0 * DNS:8729300 * CSID: * DURATION (mm:ss):01:08

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